

May 14 07 12:56p

Ted R. Touw

RECEIVED
CENTRAL FAX CENTER

541-967-9134

p.1

MAY 14 2007 Attorney Docket No. 200300734-1; Ser. No. 10/767,732

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE BOARD OF PATENT APPEALS AND INTERFERENCES

Appellants:

David Champion et al.)	Date: May 14, 2007
Serial No. 10/767,732)	Group Art Unit: 2879
Confirmation No. 6089)	
Filed 01/28/2004)	Examiner: Walford, Natalie K.
Title: PHOTONIC-CRYSTAL)	
FILAMENT AND METHODS)	

APPEAL BRIEF REVISION UNDER MPEP § 1205.03 (B)

Mail Stop Appeal Brief - Patents
Commissioner for Patents
PO Box 1450
Alexandria, VA 22313-1450

Sir:

This revision of the appeal brief filed March 1, 2007 is respectfully submitted in accordance with 37 CFR § 41.37, MPEP §1205.03(B), and requirements of the Notification of Non-Compliant Appeal Brief dated 04/23/2007. This revised section 5 replaces in its entirety the corresponding section 5 of the appeal brief filed March 1, 2007.

5. Summary of Claimed Subject Matter (revised section)

In this revised section, insertions within square brackets [] indicate references to specific page and line numbers or paragraph numbers in the original specification, and reference numerals in bold type refer to the original drawings.

MAY 14 2007 Attorney Docket No. 200300734-1; Ser. No. 10/767,732

Claim 1 is directed to a method for forming a photonic-crystal filament (10), the method [specification pages 4 – 6, paragraphs 19 – 23, and FIGS 1, 2A, and 2B] comprising steps of:

- a) mixing a slurry (15) comprising particles (11) of substantially uniform size and a precursor material for a desired metal (step S10);
- b) urging the slurry (15) through an orifice (35) while forcing the particles and precursor material into a combination having a desired crystallographic configuration (steps S30 and S40);
- c) drying the combination (45) having a desired crystallographic configuration emerging from the orifice (35) (step S50); and
- d) sintering the precursor material (step S70), whereby a photonic-crystal filament (10) is formed.

Claim 44 is directed to a method of cladding a metal filament, the method [specification pages 12 – 13, paragraphs 38 – 41, and FIGS. 3A – 3B] comprising the steps of:

- a) providing a metal filament (110) (step S20);
- b) mixing a slurry (15) comprising particles (11) of substantially uniform size and a precursor material for a desired metal (step S10);
- c) urging the metal filament (110) and the slurry (15) through an orifice (35) while forcing the particles and precursor material into a combination (45) having a desired crystal configuration surrounding the metal filament (step S40);
- d) drying the combination (45) having the desired crystallographic configuration emerging from the orifice (step S50);
- e) sintering the precursor material (step S70); and
- f) compressing the precursor material within a sheath (100) (step S60), while drawing the filament (110) and sheath (100) through a series of two or more successively smaller dies (115), whereby the filament (110) is clad with a photonic crystal (10).

Attorney Docket No. 200300734-1; Ser. No. 10/767,732

Respectfully submitted,



Theodore R. Touw
Reg. No. 36,702
Attorney/Agent for Appellants
Telephone: (541) 967-9133
Facsimile: (541) 967-9134

Please address written communications to:

HEWLETT-PACKARD COMPANY
Intellectual Property Administration
P.O. Box 272400
Fort Collins, Colorado 80527-2400

- Page 3 -